

Dec 12, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

THOMAS B.,¹

Plaintiff,

v.

CAROLYN COLVIN, Acting
Commissioner of Social Security,²

Defendant.

No. 4:24-cv-05080-EFS

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)**

The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. The parties also agree that Plaintiff is

¹ For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

² Carolyn Colvin became the Acting Commissioner of Social Security on November 30, 2024. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, and section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), she is hereby substituted for Martin O'Malley as the defendant.

entitled to reasonable attorney fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to the Court.

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion to Remand, **ECF No. 15**, is **GRANTED**.

2. This matter is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council is to instruct the ALJ to: develop the record as necessary; reconsider all relevant issues; and issue a new decision as to the unfavorable portion of the prior ALJ decision.

3. The Clerk's Office shall **TERM** the hearing and Plaintiff's brief, **ECF No. 11**, enter **JUDGMENT** in favor of Plaintiff, and **CLOSE** the case.

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 12th day of December 2024.



EDWARD F. SHEA
Senior United States District Judge